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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,152	03/21/2001	Wilhelm Feilmair	A34136-PCT-USA-A - 071986	2471
21003	7590	02/14/2005	EXAMINER	
BAKER & BOTTS 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			TENTONI, LEO B	
			ART UNIT	PAPER NUMBER
			1732	

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Please find below and/or attached an Office communication concerning this application or proceeding.



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*In re* Patent No. FEILMAIR ET AL.  
Issue Date: November 11, 2003  
Appl. No.: 09/814,152  
Filed: March 21, 2001  
For: MICHAEL COLAIANNI

**DECISION DISMISSING  
PETITION  
37 CFR 1.324**

This is a decision on the petition filed November 12, 2004 to correct inventorship under 37 CFR 1.324.

The petition is dismissed.

A petition to correct inventorship as provided by 37 CFR 1.324 requires (1) a statement from each person who is being added as an inventor that the inventorship error occurred without any deceptive intention on their part, (2) a statement from the current named inventors (including any "inventor" being deleted) who have not submitted a statement as per "(1)" either agreeing to the change of inventorship or stating that they have no disagreement in regard to the requested change, (3) a statement from all assignees of the parties submitting a statement under "(1)" and "(2)" agreeing to the change of inventorship in the patent; such statement must comply with the requirements of 37 CFR 3.73(b); and (4) the fee set forth in 37 CFR 1.20(b). This petition lacks item(s) (3). Specifically, 37 CFR §3.73(b) contains specific requirements for establishing ownership which have not been met. Section 3.73(b)(1) requires that ownership be established by either (1) documentary evidence of a chain of title from the original owner to the assignee (e.g. a copy of the executed assignment), or (2) a statement specifying where documentary evidence of the chain of title from the original owner to the assignee is recorded in the assignment records of the PTO (i.e. reel and frame number). Applicant has merely provided a statement that they are the assignee with neither documentary evidence, nor a statement of the reel and frame number. The examiner suggests that the applicant use the "Statement Under 3.73(b)" form found in MPEP §324 to correct this problem. Because this section of the rules has not been satisfied, the petition is hereby dismissed.

Michael Colaianni  
Supervisory Patent Examiner  
Art Unit 1732  
Technology Center 1700